

## **IN THE CLAIMS:**

1 1. (Currently Amended) A method of payment for equipment usage, the method  
2 comprising:  
3       establishing a minimum commitment for equipment usage per time period; and  
4       exchanging payments for the equipment usage per time period based on a greater one  
5 ~~of an aggregated usage whose value is at least as great as the greater of cumulative~~  
6 ~~equipment usage~~ and cumulative minimum commitments.

1 2. (Original) The method of claim 1, wherein exchanging payments comprises:  
2       multiplying said equipment usage by a price per unit of usage to obtain a usage  
3 payment;  
4       determining a first difference between the cumulative minimum commitments and  
5 the aggregated usage when the aggregated usage is less than the cumulative minimum  
6 commitments;  
7       adding to the usage payment an amount determined by multiplying said first  
8 difference by the price per unit of usage; and  
9       updating the aggregated usage to include the first difference.

1 3. (Original) The method of claim 2, wherein establishing the minimum commitment  
2 comprises:  
3       identifying costs for the equipment; and  
4       identifying the price per unit of usage based on the costs of the equipment.

1 4. (Original) The method of claim 3, wherein the costs are based on at least one of an  
2 acquisition cost of the equipment, services to be provided, and supplies to be provided.

1 5. (Original) The method of claim 4, wherein the costs are further based on at least one of  
2 an expected value of the equipment after a predetermined number of time periods,  
3 remarketing costs, a time value of money, profit margins, and risk of loss.

1 6. (Original) The method of claim 2, wherein exchanging payments comprises:  
2 determining a second difference between the aggregated usage and a cumulative  
3 usage when the aggregated usage is at least equal to the cumulative minimum commitment  
4 and the cumulative usage is less than the aggregated usage;  
5 subtracting from the usage payment an amount determined by multiplying a lesser  
6 one of the first difference and the second difference by the price per unit of usage; and  
7 updating the aggregated usage by subtracting the lesser one.

1 7. (Original) The method of claim 1, further comprising:  
2 identifying a number of time periods as a term for the usage of the equipment; and  
3 identifying a total commitment for the term of usage as a sum of the minimum  
4 commitments for the time periods of the term, wherein exchanging payments is limited by  
5 the total commitment.

1 8. (Original) The method of claim 7, further comprising exchanging a payment to purchase  
2 the equipment when a total of payments exceeds the total commitment multiplied by a price  
3 per unit of usage.

1 9. (Original) The method of claim 7, further comprising:  
2 determining a price per unit of usage based on continued usage of the equipment  
3 beyond the total commitment;  
4 increasing the total commitment when the aggregated usage exceeds the total  
5 commitment; and  
6 exchanging payments for continued usage based on the continued usage multiplied  
7 by the price per unit of usage.

1 10. (Original) The method of claim 1, further comprising setting the minimum commitment  
2 for at least one time period at a start of the equipment usage to a lesser amount than the  
3 minimum commitment for other time periods.

1 11. (Original) The method of claim 1, further comprising increasing the minimum  
2 commitment to obtain upgrades for the equipment.

1 12. (Original) The method of claim 1, further comprising:  
2 remarketing the equipment to obtain new equipment; and  
3 changing the minimum commitment based on a difference between a market value  
4 and a value realized by the remarketing.

1 13. (Original) The method of claim 12, wherein changing the minimum commitment  
2 comprises exchanging a payment based on the difference.

1 14. (Original) The method of claim 1, wherein the equipment comprises multiple pieces of  
2 equipment, the method further comprising combining usage for the multiple pieces of  
3 equipment to obtain the equipment usage per time period.

1 15. (Original) A method of payment for equipment usage, the method comprising:  
2 establishing a minimum commitment for equipment usage per time period based on  
3 multiplying a minimum number of units of usage per time period by a price per unit of  
4 usage;  
5 multiplying an aggregated usage by the price per unit of usage to obtain a first  
6 payment;  
7 exchanging payments for the equipment usage per time period based on subtracting a  
8 total of previous payments from a greater one of the first payment and cumulative minimum  
9 commitments; and  
10 updating the aggregated usage to reflect the cumulative minimum commitments  
11 when the cumulative minimum commitments exceed the first payment.

1 16. (Original) The method of claim 15, wherein exchanging payments further comprises:  
2 determining a first difference based on subtracting the cumulative minimum  
3 commitments from the first payment when the first payment is greater than the cumulative  
4 minimum commitments;

determining a second difference based on multiplying a result of subtracting cumulative usage from the aggregated usage by the price per unit of usage when the cumulative usage is less than the aggregated usage;

subtracting from the first payment an amount equal to multiplying a lesser one of the first difference and the second difference by the price per unit of usage; and

updating the aggregated usage by subtracting the lesser one from the aggregated usage.

17. (Currently Amended): A computer-readable medium as defined in claim 52 wherein: program tangibly stored on a computer-readable medium and operable to cause a computer to enable structuring a requirements contract for equipment usage, the computer program comprising instructions to:

----- establish a price per unit of usage;

----- establish a minimum number of units of usage per time period;

----- track usage of the equipment per time period;

----- obtain payments per time period based on

A) the quantity  $p_i$  is the payment for equipment usage during the  $i$ th time period;

and

B) the instructions direct the computer system to calculate the quantity  $p_i$  by employing operations that include:

i) multiplying a credited number of units of usage by a price per unit of usage a pre-update aggregate usage  $A_{i-1} + U_i$  and subtracting a total of

previous payments, wherein cumulative payments  $\sum_{j=1}^i p_j$  for a number

of time periods are at least equal to an amount determined by

multiplying a total of the minimum number of units of usage over the

number of time periodsthe cumulative commitment by the price per

unit of usage; and

ii) update-updating the credited-pre-update aggregated usage to obtain a value for the updated aggregated usage  $A_i$  that reflects the cumulative

payments when the total of the minimum number of units of usage

over the number of time periods cumulative commitment exceeds the  
pre-update aggregated credited usage.

1 18. (Currently Amended): The A computer-readable medium as defined in program of  
2 claim 17 wherein the ,further comprising instructions direct the computer system to:  
3 subtract a credit from the payments for the equipment usage for a time period when  
4 the credited pre-update aggregated usage is greater than the total of the minimum number of  
5 units through the time period cumulative commitment; and greater than cumulative actual  
6 usage through the time period; and  
7 update the pre-update aggregated credited usage to obtain a value for the updated  
8 aggregate usage that reflects the credit.

1 19. (Currently Amended): ~~The A computer-readable medium as defined in program of~~  
2 claim 18, wherein the instructions to subtract the credit further comprise instructions to:  
3       determine a first difference between the ~~credited-pre-update aggregate usage~~ and the  
4 cumulative actual usage;  
5       determine a second difference between the ~~pre-update aggregate credited usage~~ and  
6 ~~the total of the minimum number of units~~cumulative commitment; and  
7       determine the credit by multiplying the price per unit of usage by a lesser one of the  
8 first difference and the second difference.

20. (Currently Amended): ~~A computer-readable medium as defined in~~The computer  
program of claim 17, wherein the instructions to establish a price per unit of usage further  
comprise instructions to establish the costs based on at least one of an acquisition cost of the  
equipment, services to be provided, and supplies to be provided.

21. (Currently Amended): A computer-readable medium as defined in ~~The computer~~  
program of claim 20, wherein the instructions to establish a price per unit of usage further  
comprise instructions to establish the costs based on at least one of an expected value of the  
equipment after a predetermined number of time periods, expected remarketing costs, a time  
value of money, profit margins, and risk of loss.

1 22. (Currently Amended): ~~A computer-readable medium as defined in The computer~~  
2 ~~program of claim 17, further comprising containing~~ instructions to:

3 identify a number  $N$  of time periods as a term for the usage of the equipment;

4 identify a total commitment for the term of usage as ~~a sum of the minimum number~~  
5 ~~of units of usage~~ the cumulative commitment  $C_N$  for the time periods of the term; and

6 limit the payments obtained to the total commitment multiplied by the price per unit  
7 of usage.

1 23. (Currently Amended): ~~A computer-readable medium as defined in The computer~~  
2 ~~program of claim 22, further comprising containing~~ instructions to obtain a payment to

3 purchase the equipment when a total of payments exceeds the total commitment multiplied  
4 by the price per unit of usage.

1 24. (Currently Amended): ~~A computer-readable medium as defined in The computer~~  
2 ~~program of claim 22, further comprising~~ instructions to:

3 determine a price per unit of usage based on continued usage of the equipment  
4 beyond the total commitment; and

5 obtain payments for continued usage based on the continued usage multiplied by the  
6 price per unit of usage.

1 25. (Currently Amended): ~~A computer-readable medium as defined in The computer~~  
2 ~~program of claim 17 wherein:~~

3 A)  $C_i = \sum_{j=1}^i c_j$ , where  $c_j$  is an incremental commitment for the  $j$ th time period;  
4

5 and

6 B) ~~the computer-readable medium, further comprising contains~~ instructions to  
7 set the ~~minimum number of units of usage~~ incremental commitment for at  
8 least one time period at a start of the equipment usage to a lesser amount than  
9 the ~~minimum number of units of usage~~ incremental commitments for other  
time periods.

1 26. (Currently Amended): A computer-readable medium as defined in The computer  
2 program of claim 17, further comprising containing instructions to:

3 increase the minimum number of units of usage; and

4 obtain upgrades for the equipment based on the increase.

1 27. (Currently Amended): A computer-readable medium as defined in The computer  
2 program of claim 17, further comprising instructions to:

3 remarket the equipment to obtain new equipment; and

4 adjust the payments based on a difference between a market value and a value  
5 realized by the remarket.

1 28. (Currently Amended): A computer-readable medium as defined in The computer  
2 program of claim 17, wherein the equipment comprises multiple pieces of equipment and  
3 wherein the instructions to track usage further comprise instructions to obtain the value of  
4 actual usage direct the computer system to combine usage for the multiple pieces of  
5 equipment.

1 29. (Original) A method of leasing equipment, comprising:

2 establishing a price per unit of equipment usage;

3 establishing a minimum number of units of equipment usage per time period; and

4 exchanging payments per time period based on multiplying a credited number of  
5 units of usage by the price per unit of equipment usage and subtracting a total of previous  
6 payments, wherein cumulative payments for a number of time periods are at least equal to  
7 an amount determined by multiplying a total of the minimum number of units of equipment  
8 usage over the number of time periods by the price per unit of equipment usage; and

9 updating the credited usage to reflect the cumulative payments when the total of the  
10 minimum number of units of equipment usage over the number of time periods exceeds the  
11 credited usage.

1 30. (Original) A method of leasing equipment for a specified number of time periods,  
2 comprising:

3 providing the equipment for use;  
4 identifying a value of the equipment;  
5 identifying a price per unit of usage based on the value of the equipment;  
6 establishing a cumulative minimum number of units of usage per each of the time  
7 periods;

8 tracking usage of the equipment for each time period and adding the usage to  
9 previous usage to obtain total usage;

10 obtaining payments for usage of the equipment per time period based on multiplying  
11 a greater one of the total usage and the cumulative minimum number by the price per unit of  
12 usage and subtracting a total of previous payments; and

13 updating the total usage to reflect the cumulative minimum number when the  
14 cumulative minimum number is greater than the total usage.

1 31. (Original) A method of depreciating equipment, comprising:

2 establishing a minimum commitment for usage of the equipment per time period;

3 establishing a price per unit of usage;

4 determining a greater one of cumulative usage and cumulative minimum  
5 commitment for a time period;

6 multiplying the greater one by the price per unit of usage and subtracting a total of  
7 previous depreciation to obtain a depreciation expense for the time period;

8 incurring the depreciation expense; and

9 updating the cumulative usage to reflect the cumulative minimum commitment when  
10 the cumulative minimum commitment is greater than the cumulative usage.

1 32. (Currently Amended) A computer program tangibly stored on a computer-readable  
2 medium as defined in claim 52 wherein the quantity  $p_i$  is the payment for equipment usage  
3 during the  $i$ th time period, and the instructions direct the computer system and operable to  
4 cause a computer to enable depreciation of equipment, the computer program comprising  
5 instructions to:

6 ~~establish a minimum commitment for usage of the equipment per time period;~~  
7 establish a price per unit of usage;  
8 determine a greater one of a ~~pre-update credited aggregated usage~~  $A_{i-1} + u_i$  and the  
9 cumulative ~~minimum commitment for a time period~~  $C_i$ ;  
10 multiply the greater one by the price per unit of usage and subtract a total of previous  
11 depreciation to obtain a depreciation expense for the time period;  
12 ~~incur the depreciation expense; and~~  
13 update the ~~credited pre-update aggregated usage to obtain an updated aggregated~~  
14 ~~usage that reflects~~ the cumulative minimum commitment when the cumulative minimum  
15 commitment is greater than the ~~pre-update aggregated credited usage~~.

1 33. (Currently Amended): ~~A computer-readable medium as defined in The computer~~  
2 ~~program of claim 32, wherein the instructions to establish a price per unit of usage comprise~~  
3 instructions to adjust the price per unit of usage when a predetermined threshold amount of  
4 usage is exceeded.

1 34. (Currently Amended): ~~A computer-readable medium as defined in The computer~~  
2 ~~program of claim 32, wherein the instructions to establish a price per unit of usage comprise~~  
3 instructions to:  
4 identify costs of the equipment; and  
5 determine the price per unit of usage based on the costs of the equipment.

1 35. (Currently Amended): ~~A computer-readable medium as defined in The computer~~  
2 ~~program of claim 34, wherein the instructions to identify costs of the equipment comprise~~  
3 instructions to determine the costs based on at least one of an acquisition cost of the  
4 equipment, services to be provided, and supplies to be provided.

1 36. (Currently Amended): ~~A computer-readable medium as defined in The computer~~  
2 ~~program of claim 35, wherein the instructions to identify costs of the equipment further~~  
3 comprise instructions to determine costs based on at least one of an expected value of the

equipment after a predetermined number of time periods, remarketing costs, a time value of money, profit margins, and risk of loss.

37. (Currently Amended): ~~A computer-readable medium as defined in The computer program of claim 32, further comprising wherein the instructions direct the computer system to:~~

identify a number of time periods  $N$  as a term for the usage of the equipment; and  
limit the depreciation expense to ~~a total commitment equal to the cumulative commitment  $C_N$  a sum of the minimum commitments~~ for the time periods of the term multiplied by the price per unit of usage.

38. (Currently Amended): ~~A computer-readable medium as defined in The computer program of claim 37, further comprising wherein the instructions to purchase direct that the equipment be purchased when the credited updated aggregated usage exceeds the sum of the minimum commitments  $C_N$ .~~

39. (Currently Amended): ~~A computer-readable medium as defined in The computer program of claim 37, further comprising instructions to:~~  
determine a price per unit of usage based on continued usage of the equipment beyond ~~the sum of the minimum commitments the total commitment~~; and  
incur additional depreciation expense for the continued usage based on the continued usage multiplied by the price per unit of usage.

40. (Currently Amended): ~~A computer-readable medium as defined in The computer program of claim 32, further wherein:~~

A)  $C_i = \sum_{j=1}^i c_j$ , where  $c_j$  is an incremental commitment for the  $j$ th time period;

and

B) ~~the computer-readable medium contains comprising instructions to set the minimum incremental commitment for at least one time period at a start of~~

7 the equipment usage to a lesser amount than the ~~minimum incremental~~  
8 commitment for other time periods.

1 41. (Currently Amended): ~~A computer-readable medium as defined in The computer~~  
2 ~~program of claim 32, further comprising instructions to:~~

3 increase the ~~minimum number of units of usage~~ cumulative commitments  $C_i$ ; and  
4 obtain upgrades for the equipment based on the increase.

1 42. (Currently Amended): ~~A computer-readable medium as defined in The computer~~  
2 ~~program of claim 32 wherein the further comprising instructions direct the computer system~~  
3 to:

4 remarket the equipment to obtain new equipment; and

5 adjust the depreciation expense based on a difference between a market value and a  
6 value realized by the remarket.

1 43. (Currently Amended): ~~A computer-readable medium as defined in The computer~~  
2 ~~program of claim 32, wherein the instructions to incur the depreciation expense further~~  
3 ~~comprise instructions to:~~

4 subtract a credit from the depreciation expense for a time period when the ~~pre-update~~  
5 ~~aggregated credited usage~~ is greater than the ~~total of the minimum number of~~  
6 ~~units~~ cumulative commitment through the time period, and greater than cumulative usage  
7 through the time period; and

8 update the ~~pre-update aggregated credited usage~~ obtain an updated aggregated usage  
9 ~~that to reflects~~ the credit.

44. (Currently Amended): ~~A computer-readable medium as defined in The computer~~  
~~program of claim 32, wherein the equipment comprises multiple pieces of equipment, the~~  
~~computer program further comprising instructions further directing the computer system to:~~

track usage per time period for each one of the multiple pieces of equipment; and

combine the usages per time period for the multiple pieces of equipment to obtain  
the ~~credited-actual~~ usage.

1 45. (New) For specifying at least one of payments for and depreciation of equipment, a  
2 method comprising:

- 3 A) obtaining cumulative commitments  $C_j$  to usage of the equipment for  
4 successive time periods  $j = 1, 2, \dots$ ; and  
5 B) employing a computer system to, for each given,  $i$ th time period of a plurality  
6 of the time periods:  
7 i) obtain the value  $u_j$  of actual usage of the equipment;  
8 ii) calculate therefrom a quantity  $p_i$  based on a usage value equal to the  
9 difference  $A_i - A_{i-1}$  between an updated aggregated usage  $A_i$  for the  
10 given time period and an updated aggregated usage  $A_{i-1}$  for the  
11 previous time period, where the updated aggregated value  $A_k$  for any,  
12  $k$ th time period is at least as great as the greater of the  $k$ th time  
13 period's cumulative commitment  $C_k$  and the  $k$ th period's cumulative  
14 actual usage  $U_k = \sum_{j=1}^k u_j$ ; and  
15 iii) provide an output that specifies the quantity thus calculated as at least  
16 one of the payment and the depreciation for the given time period.

1 46. (New) A method as defined in claim 45 wherein  $A_k$  is the greater of:

- 2 A) the  $k$ th time period's cumulative commitment  $C_k$  and  
3 B) the sum of the  $k$ th time period's actual usage  $u_k$  and the previous time  
4 period's updated aggregated usage  $A_{k-1}$ .

1 47. (New) A method as defined in claim 46 wherein the quantity  $p_i$  calculated for the given,  
2  $i$ th time period equals the product  $r_i \cdot (A_i - A_{i-1})$  of a price  $r_i$  per unit of usage and the  
3 difference  $A_i - A_{i-1}$  between the updated aggregated usages of the given and previous time  
4 periods.

1 48. (New) A method as defined in claim 47 further including at least one of incurring  
2 depreciation expense in the amount of  $p_i$  and making or receiving a payment in the amount  
3 of  $p_i$ .

1 49. (New) A method as defined in claim 45 wherein  $A_i$  is the greater of the  $i$ th time  
2 period's cumulative commitment  $C_i$  and the  $i$ th time period's cumulative actual usage  $U_i =$

3 
$$\sum_{j=1}^i u_j .$$

1 50. (New) A method as defined in claim 49 wherein the quantity  $p_i$  calculated for the given,  
2  $i$ th time period equals the product  $r_i \cdot (A_i - A_{i-1})$  of a price  $r_i$  per unit of usage and the  
3 difference  $A_i - A_{i-1}$  between the updated aggregated usages of the given and previous time  
4 periods.

1 51. (New) A method as defined in claim 50 further including at least one of incurring  
2 depreciation expense in the amount of  $p_i$  and making or receiving a payment in the amount  
3 of  $p_i$ .

1 52. (New) For enabling a computer system to specify at least one of payments for and  
2 depreciation of equipment for which cumulative commitments  $C_j$  of usage of the equipment  
3 have been made for successive time periods  $j = 1, 2, \dots$ , a computer-readable medium  
4 containing instructions readable by the computer system to configure the computer system  
5 to, for each given,  $i$ th time period of a plurality of the time periods:

6 A) obtain values  $u_j$  of actual usage by the user;

7 B) calculate therefrom a quantity  $p_i$  based on a usage value equal to the  
8 difference  $A_i - A_{i-1}$  between an updated aggregated usage  $A_i$  for the given  
9 time period and an updated aggregated usage  $A_{i-1}$  for the previous time  
10 period, where the updated aggregated value  $A_k$  for any,  $k$ th time period is at

- 11 least as great as the greater of the  $k$ th time period's cumulative commitment  
12  $C_k$  and the  $k$ th period's cumulative actual usage  $U_k = \sum_{j=1}^k u_j$ ;; and  
13 C) provide an output that specifies the quantity thus calculated as at least one of  
14 the payment and the depreciation for the given time period.

1 53. (New) A computer-readable medium as defined in claim 52 wherein  $A_k$  is the greater  
2 of:

- 3 A) the  $k$ th time period's cumulative commitment  $C_k$  and  
4 B) the sum of the  $k$ th time period's actual usage  $u_k$  and the previous time  
5 period's updated aggregated usage  $A_{k-1}$ .

1 54. (New) A computer-readable medium as defined in claim 53 wherein the quantity  $p_i$   
2 calculated for the given,  $i$ th time period equals the product  $r_i \cdot (A_i - A_{i-1})$  of a price  $r_i$  per  
3 unit of usage and the difference  $A_i - A_{i-1}$  between the updated aggregated usages of the  
4 given and previous time periods.

1 55. (New) A computer-readable medium as defined in claim 52 wherein  $A_i$  is the greater of  
2 the  $i$ th time period's cumulative minimum commitment  $C_i$  and the  $i$ th time period's  
3 cumulative actual usage  $U_i = \sum_{j=1}^i u_j$ .

1 56. (New) A computer-readable medium as defined in claim 55 wherein the quantity  $p_i$   
2 calculated for the given,  $i$ th time period equals the product  $r_i \cdot (A_i - A_{i-1})$  of a price  $r_i$  per unit  
3 of usage and the difference  $A_i - A_{i-1}$  between the updated aggregated usages of the given and  
4 previous time periods.

1 57. (New) For specifying at least one of payments for and depreciation of equipment for  
2 which cumulative commitments  $C_j$  of usage of the equipment have been made for successive

time periods  $j = 1, 2, \dots$ , a computer system configured to, for each given,  $i$ th time period of a plurality of the time periods:

A) obtain values  $u_j$  of actual usage by the user;

B) calculate therefrom a quantity  $p_i$  based on a usage value equal to the difference  $A_i - A_{i-1}$  between an updated aggregated usage  $A_i$  for the given time period and an updated aggregated usage  $A_{i-1}$  for the previous time period, where the updated aggregated value  $A_k$  for any,  $k$ th time period is at least as great as the greater of the  $k$ th time period's cumulative commitment

$C_k$  and the  $k$ th period's cumulative actual usage  $U_k = \sum_{j=1}^k u_j$ ; and

C) provide an output that specifies the quantity thus calculated as at least one of the payment and the depreciation for the given time period.

58. (New) A computer system as defined in claim 57 wherein

$A_k$  is the greater of:

A) the  $k$ th time period's cumulative commitment  $C_k$  and

B) the sum of the  $k$ th time period's actual usage  $u_k$  and the previous time period's updated aggregated usage  $A_{k-1}$ .

59. (New) A computer system as defined in claim 58 wherein the quantity  $p_i$  calculated for the given,  $i$ th time period equals the product  $r_i \cdot (A_i - A_{i-1})$  of a price  $r_i$  per unit of usage and the difference  $A_i - A_{i-1}$  between the updated aggregated usages of the given and previous time periods.

60. (New) A computer system as defined in claim 57 wherein  $A_i$  is the greater of the  $i$ th time period's cumulative minimum commitment  $C_i$  and the  $i$ th time period's cumulative

actual usage  $U_i = \sum_{j=1}^i u_j$ .

- 1 61. (New) A computer system as defined in claim 60 wherein the quantity  $p_i$  calculated for
- 2 the given,  $i$ th time period equals the product  $r_i \cdot (A_i - A_{i-1})$  of a price  $r_i$  per unit of usage and
- 3 the difference  $A_i - A_{i-1}$  between the updated aggregated usages of the given and previous
- 4 time periods.